

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

JONATHAN RIVERA-PIEROLA,)
vs.)
Plaintiff,)
BOARD OF REGENTS for the OKLAHOMA)
AGRICULTURAL and MECHANICAL)
COLLEGES, et al.,)
Defendant.)

) Case Number
) CIV-21-616 PRW
)
)

VIDEOCONFERENCE DEPOSITION OF MARGI GILMOUR, DVM
TAKEN ON BEHALF OF THE PLAINTIFF
ON MAY 15, 2023
IN STILLWATER, OKLAHOMA

REPORTED BY: BRENDA SCHMITZ, CSR, RPR (VIA ZOOM)
CITY REPORTERS
14 Northeast 13th Street, Suite 101
Oklahoma City, Oklahoma 73104
(405)235-3376

Margi Gilmour, DVM
May 15, 2023

2

1 APPEARANCES:

2

3 FOR THE PLAINTIFF (VIA ZOOM):

4

5 MR. JASON J. BACH
Bach Law Firm
6 7881 West charleston, Suite 165
Las Vegas, NV 89117
Telephone: 702.925.8787
7 Email: jbach@bachlawfirm.com

8

9

FOR THE DEFENDANT (VIA ZOOM):

10

11 MR. CLINTON W. PRATT
Office of Legal Counsel
Student Union, 5th Floor
12 Oklahoma State University
Stillwater, Oklahoma 74078
Telephone: 405.744.6494
13 Email: clint.pratt@okstate.edu

14

15

INDEX

16

17 DIRECT EXAMINATION BY MR. BACH.....5

18 CROSS EXAMINATION BY MR. PRATT.....53

19

20 Errata.....58

21 Jurat.....59

22 Reporter's Certificate.....60

23

24

25

Margi Gilmour, DVM
May 15, 2023

3

1

INDEX (CONTINUED)

2

Deposition Exhibits (marked at a later date)

3

Number 1	Nominees for placement email.....	21
Number 2	Nominees for clinicals email.....	25
Number 3	Chris Ross/St. Matthew's emails....	27
Number 4	Student Grade for SAIM Rotation....	27
Number 5	Failed Rotation email.....	28
Number 6	(not used)	30
Number 7	Rivera-Pierola Advisee email.....	30
Number 8	CP Rotation Problems email.....	34
Number 9	Notes from 3-11-20 meeting.....	37
Number 10	3/21/20 Dr. Reichard letter.....	38
Number 11	3/23/20 Dismissal Recommendation..	39
Number 12	Email Re: PSC Protocol.....	39
Number 13	Rivera appeal letter.....	40
Number 14	Email Re: Appeal to the Dean.....	42
Number 15	4/6/20 letter from Gilmour.....	44
Number 16	Early Termination of Anesthesia Rotation letter.....	46
Number 17	Emails Re: Early termination of rotation.....	47
Number 18	Email Re: Repeating rotation.....	49
Number 19	Letter Re: Dismissal.....	51

24

25

Margi Gilmour, DVM
May 15, 2023

4

1

STIPULATIONS

2

3

4

5

6

7

8

9

10

11

It is hereby stipulated and agreed by and between the parties hereto, through their respective attorneys, that the video conference deposition of MARGI GILMOUR may be taken on behalf of the Plaintiff on MAY 15, 2023, in the City of Stillwater, Oklahoma by Brenda Schmitz, Certified Shorthand Reporter within and for the State of Oklahoma, and Registered Professional Reporter, taken by notice pursuant to the State of Oklahoma Rules of Civil Procedure.

12

13

14

15

16

17

18

19

It is further stipulated and agreed by and between the parties hereto, through their respective attorneys, that all objections, except as to the form of the question and the responsiveness of the answer, are reserved until the time of trial, at which time they may be made with the same force and effect as if made at the time of the taking of this deposition.

20

21

22

23

24

25

Margi Gilmour, DVM
May 15, 2023

5

1 And thereupon the following witness was produced
2 by the Plaintiff:

MARGI GILMOUR,
the witness hereinbefore named, being first duly
cautioned and sworn remotely pursuant to Rule 34,
Title 12, Chapter 2, Appendix of the Oklahoma
Supreme Court, to testify the truth, the whole
truth, and nothing but the truth, testified on her
oath as follows:

10 DIRECT EXAMINATION

11 BY MR. BACH:

12 Q. Can you state your name for the record,
13 please?

14 A. I'm sorry?

15 Q. Can you state your name for the record,
16 please?

17 A. Margi Gilmour.

Q. All right. And have you ever had your deposition taken before?

20 A. Yes.

21 Q. On -- on how many occasions?

22 A. Once.

23 Q. And how -- how long ago was that?

24 A. 30 years.

25 Q. Okay. All right. Well, just to go over a

Margi Gilmour, DVM
May 15, 2023

8

1 Q. Are you -- are you currently employed?

2 A. No, I am not, I'm retired.

3 Q. Okay. What was the last employment that
4 you had?

5 A. At the Oklahoma State University College
6 of Veterinary Medicine, I was the Associate Dean for
7 Academic Affairs.

8 Q. And for how long were you in -- in that
9 position?

10 A. I was interim for two years, and then I
11 was Associate Dean for three and a half before
12 retirement.

13 Q. Okay. What was your -- do you have a
14 position at the school before that?

15 A. Yes, I did.

16 Q. What was your position then?

17 A. Professor of ophthalmology.

18 Q. And -- and how long were you in -- in that
19 role for?

20 A. I was -- let's see, let me do some math,
21 at the university for 20 years, so I was in that
22 position for 16 years.

23 Q. I see. You said that you were at the
24 university for 20 years; is that right?

25 A. Total, yeah.

Margi Gilmour, DVM
May 15, 2023

56

1 A. No.

2 Q. So during your time of involvement with
3 the Oklahoma State University College of Veterinary
4 Medicine program, do you recall a number or estimate
5 of academic integrity violations filed against
6 students specifically participating in the year four
7 clinical program?

8 A. None.

9 Q. None that you can recall?

10 A. (Witness shakes head.)

11 Q. Not a single one?

12 A. Correct.

13 Q. So it would be quite unusual for a faculty
14 member to file an academic integrity violation
15 against a student participating in a year four
16 program?

17 A. Yes.

18 Q. And why is that?

19 A. Year four is very different. You are
20 expected to assimilate a lot of information and act
21 professional and communicate well and you just have
22 to bring everything like that together. And it's
23 not like you have some way you're going to cheat on
24 that. You bring your A game, but there's no way to
25 cheat.

Margi Gilmour, DVM

May 15, 2023

57

1 In years one through three, of course, it's
2 very different, you're in a class, there's high
3 stakes, there's exams, there's things to turn in,
4 and there, we have seen some academic integrity
5 issues come up in students looking on another
6 student's paper, or, you know. But fourth year,
7 it's that, you know, doing some action to get ahead
8 or to cheat, it just isn't really applicable in that
9 setting.

10 MR. PRATT: I'll pass the witness.

11 REDIRECT EXAMINATION

12 BY MR. BACH:

13 Q. If you don't mind, I know that you're
14 retired. Is there any reason that you wouldn't be
15 available for -- to attend a trial in September?

16 A. No.

17 Q. So, no, you -- you wouldn't have any --
18 any obstacle to attend a trial, if, in fact, it goes
19 to trial in September?

20 A. No, I would not.

21 MR. BACH: I don't have anything further.

22 MR. PRATT: Okay. We'll read and sign.

23 MR. BACH: All right. Thank you very much
24 for your time here today.

25 (Deposition concluded at 3:42 p.m.)

Margi Gilmour, DVM
May 15, 2023

58

1

ERRATA SHEET

2

WITNESS: MARGI GILMOUR

3

DATE: MAY 15, 2023

4

REPORTER: Brenda Schmitz, CSR, RPR

5

NO CORRECTIONS ARE NECESSARY _____

6

PAGE LINE CORRECTION REASON

7

22 Following the deposition, I recalled three other individuals
 to whom I told I was giving a deposition. The individuals
 include two friends and a physician, in addition to the two
 people noted in the deposition. No substantive information
 was discussed with the individuals, simply that I was called
 to give a deposition regarding a student dismissed from
 the program while I was the Associate Dean.

14

7 25 One of the friends, Robin Wilson, works at the OSU College
 of Veterinary Medicine. Due to her position as Director
 of Student Services, Ms. Wilson was already aware of the
 lawsuit.

19

20

21

23

24

25

City Reporters
(405) 235-3376

Margi Gilmour, DVM
May 15, 2023

59

1

JURAT

2

I, MARGI GILMOUR, do hereby state under oath
that I have read the above and foregoing transcript
in its entirety, and that the same is a full, true,
and correct transcription of my testimony so given
at said time and place, except for the corrections
noted.

8

9

Margi Gilmour

MARGI GILMOUR

10

11

SUBSCRIBED AND SWORN TO BEFORE ME, the
undersigned Notary Public in and for the State of
Oklahoma on this, the 13 day of
June, 2023.

15

16

Margi Gilmour

Notary Public

17

18

My Commission Expires: 02-06-27

19

20

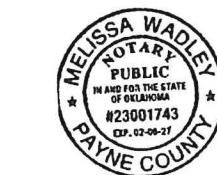
21

22

23

24

25



REPORTED BY: BRENDA SCHMITZ, CSR, RPR

City Reporters
(405) 235-3376